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Before the United States Patent and Trademark Office

Interview Summary

Regarding:

Application Number: 10/805,077
Filing Date: 20 March 2004
Applicant: David Scott Thompson
Title: Paging Unit, a System Including Paging Units and the Use of Those
Art Unit: 2173
Examiner: Ryan F. Pitaro
Agent's Docket No.: 04-167

The Examiner was kind enough to schedule a telephonic interview for 23 February 2006. During that interview, the deficiencies of the Carissimo disclosure were discussed. The Examiner stated that, although not mentioned in the office action, that he had considered the declarations for experts about the deficiencies of the Carissimo disclosure. The Examiner believes that the disclosure was marginally sufficient. Applicant believes that the disclosure is not sufficient. No

agreement on that point was reached.

The differences between the claimed power adjustment and that disclosed by Harel *et al* were discussed. Examiner requested more time to consider that matter and asked that the telephone conversation be continued on 27 February 2006.

When the conversation was continued on 27 February 2006, the Examiner agreed that there were important differences between the claimed power adjustment and that disclosed by Harel *et al*. The Examiner stated that, if requested by the applicant, the Examiner would reopen the prosecution so that he can consider other art related to claims 18 and 20.

The Examiner was thanked for his time.

Respectfully submitted,



Paul H. Demchick
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February 2, 2006 10:00 AM

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Request to Reopen Prosecution

Regarding:

Application Number: 10/805,077
Filing Date: 20 March 2004
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Title: Paging Unit, a System Including Paging Units and the Use of Those
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As discussed in our telephone conversation 27 February 2006, it is requested that the prosecution of the application be reopened to allow the Office to consider the relevant difference between the claimed power adjustment and that disclosed by Harel *et al.* The Examiner's consideration in doing so is very much appreciated.

In the rejection of claim 20 based on 35 USC § 102(b), and in the rejection of claims 18 based on 35 USC § 103, Harel (United States Patent 6366195) is cited as teaching a unit in "which said unit is capable of dynamically adjusting its transmission power, wherein, that dynamic adjustment of the transmission power is based, at least in part, on the strength of the signals sent by the base station and received by the unit." While Harel, seemingly, discloses dynamic adjustment of transmission power by a receiving unit, that adjustment is not based on the strength of the signal received by the receiving unit. The adjustment is seemingly based on information encoded in a digital signal sent by the base which instructs the receiving unit about adjusting the transmission power of the receiving unit. Therefore, reconsideration of those rejections is requested.

Respectfully submitted,



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